

ILLINOIS STATE POLICE DIRECTIVE EQP-002, DEPARTMENT VEHICLE USAGE

RESCINDS: EQP-002, 2003-033, revised 07-17-2003.	REVISED: 12-05-2005 2005-073
RELATED DOCUMENTS: EQP-001, EQP-003, PER-045	DISTRIBUTION: All employees maintaining an ISP Directives Manual All holders of the ISP Field Manual Office/desk copy
RELATED CALEA STANDARDS: 22.2.8, 41.3.3, 46.1.9, 61.4.1, 81.2.5	

I. POLICY

The Illinois State Police (ISP) will ensure department vehicles are used by employees only when engaged in the performance of an assigned duty or in accordance with the procedures set forth in this directive.

II. PROCEDURES

NOTE: State of Illinois vehicles are to be used only during the course of official state business (see the exceptions in paragraph II.C.). Because the vehicle is property of the state of Illinois there is no expectation of privacy in the vehicle or its contents. Any state owned vehicle is subject to search without consent or notice at any time by appropriate personnel of the state of Illinois or law enforcement.

II.A. Operating Department Vehicles

A Department vehicle (any vehicle owned or leased by the ISP) will be operated only by an authorized person who possesses a valid driver's license of the proper classification for the vehicle being driven.

II.A.1. An individual may drive a department vehicle if the authorized driver is incapacitated and it is necessary to move the vehicle or driver to a place of safety, or if operational needs require someone else to drive.

II.A.2. A mechanic may operate a department vehicle if it is necessary to identify mechanical defects or to see if work on a vehicle has been properly completed.

II.A.3. Individuals authorized by the Director may operate department vehicles.

II.B. Vehicle passengers

II.B.1. Only Department employees or employees of the state of Illinois may be transported in Department vehicles.

II.B.1.a. When approved by the District/Zone Commander/Bureau Chief/Lab Director, or above, individuals not listed in II.B.1. may be passengers in department vehicles.

II.B.1.b. Individuals may be transported in department vehicles in those situations where it would be inhumane not to do so.

II.B.1.c. Individuals not otherwise authorized may be transported in department vehicles when it is necessary to conduct department business.

II.B.2. Individuals driving or riding in department vehicles will use the seat belts/shoulder harnesses provided in each vehicle regardless of the individual's seating position in the vehicle. Officers will comply with the law regarding the use of child occupant restraints. Only in circumstances necessary for immediate safety will children be transported in department vehicles without using the appropriate child restraint.

II.C. Department vehicles for other transportation

II.C.1. Department vehicles may be used for other transportation within the boundaries of the state of Illinois, in accordance with Executive Order 1992-4 (as amended by Executive order 1999-3) and 44 IL Administrative Code 5040.350, et seq., when one or more of the following circumstances are present.

II.C.1.a. An employee is away from his/her official residence overnight in the course of conducting business for the Department or, with the approval of their Commander, while on standby status. If the official business is outside the state of Illinois and the employee is away from his/her official residence overnight, the assigned vehicle may be used out of state consistent with this policy.

II.C.1.b. Any inter-district or inter-division transferee may use their official vehicle until permanent residence is established or for a 45-day period, whichever occurs first. If permanent residence is not established in the 45-day period, personal use of the vehicle is limited to travel to and from the officer's residence to the new district/office.

II.C.1.c. An employee may use the Department vehicle in conjunction with directive PER-045, "Wellness Program".

II.C.1.d. Code personnel assigned as Bureau Chief or higher and officers with the permanent rank of Master Sergeant and above are authorized 24-hour use of their assigned vehicle within the boundaries of the state of Illinois, unless otherwise authorized by the Director, in accordance with Executive Order 1992-4 (as amended by Executive order 1999-3) and 44 IL Administrative Code 5040.350, et seq. to:

II.C.1.d.1) increase command presence in the field,

II.C.1.d.2) allow for immediate communications capabilities,

II.C.1.d.3) enhance the overall operation of the Department,

II.C.1.d.4) provide an immediate response/notification of motorist assists, traffic crashes, critical incidents, natural disasters, or any other similar activities, and

II.C.1.d.5) provide immediate notification to the local ISP Communications Center whenever such response occurs.

II.C.2.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

II.C.3. For purposes of II.C.1.d. only, authorized personnel choosing to use their assigned vehicles must obtain and maintain liability insurance covering property and personal injury of another party. A statement acknowledging this will be signed annually and maintained in the employee's work location personnel file.

II.C.4. In accordance with 625 ILCS 5/7-601, code employees assigned a department vehicle must complete annually by July 31 the Driver Certification For Civilians Assigned A State Vehicle form ISP2-503 (Available from the Document Library at <http://maphome/documentlibrary/doclibrary.cfm>). Completed forms will be forwarded to the Logistics Bureau.

II.D. Vehicle air bag on-off switch

II.D.1. Due to the placement of Mobile Data Computers (MDC) in department vehicles, on-off switches are being installed in vehicles equipped with front passenger air bags.

II.D.1.a. If so equipped, whenever a passenger/subject is transported in the front passenger seat, it is required the air bag on-off switch be placed in the ON position (green light indicator lit).

II.D.1.b. If the driver is the only person in the front seat, the passenger air bag on-off switch will be placed in the OFF position (yellow light indicator lit).

II.D.1.c. The normal position of the air bag on-off switch is in the OFF position.

Note: Additional air bag information is included in Addendum 1.

II.D.1.d. One on-off switch key will remain in the switch and a spare key will be carried on the vehicle key ring.

II.D.1.e. A label advising of the shut-off device will be affixed in a position visible to the passenger.

II.E. Unattended vehicles

II.E.1. When unattended, the vehicle will be parked in a legal parking space.

II.E.2. Drivers of vehicles will take precautions when parking state vehicles. Every attempt will be made to park vehicles, especially those easily identifiable as state police vehicles, in safe locations and not near establishments that could discredit the Agency or its employees.

II.E.3. When unattended, department vehicles will be locked except in those situations where doing so would be impractical.

[REDACTED]

[REDACTED]

[REDACTED]

- II.E.3.b. The driver of the Department vehicle will be held responsible for any stolen or missing item if the vehicle is left unlocked when unattended.

[REDACTED]

II.F. Damage

The Department will not be responsible for damage to or the loss of personal property by fire, theft, or collision due to the negligence of the operator of a Department vehicle.

- II.G. The Department will not be responsible for parking tickets or traffic violations. The operator will pay parking or storage charges.

II.H. Communications equipment

Any employee, or other police officers assigned to ISP Task Forces or Metropolitan Enforcement Group (MEG) units, operating a department vehicle equipped with a two-way radio may use that radio.

- II.H.1. Two-way radios are to be used only for official business.

- II.H.2. Two-way radios will be operated in accordance with department communications directives and Federal Communications Commission rules and regulations.

II.I. Vehicle - taxable income

- II.I.1. Federal rules require the Department, with exceptions (police vehicles operated by state officers are exempt), to treat the use of state vehicles as a taxable benefit to be included in the employee's income.

- II.I.2. The Department will process the value (\$3 for each day used) of state vehicles on the payroll to withhold federal and state tax, retirement, and social security when applicable.

- II.I.3. Personnel affected by the "personal use" taxable fringe benefit assessment will be required to complete a "Vehicle Usage Report" form, ISP2-006, which is available from the Document Library at <http://maphome/documentlibrary/doclibrary.cfm>.

- II.I.3.a. This must be done on a quarterly basis.

- II.I.3.b. Failure to report usage on a quarterly basis may result in disciplinary action and/or the loss of the state vehicle to the employee.

| Indicates new or revised items.

-End of Directive-

**ILLINOIS STATE POLICE DIRECTIVE
EQP-002, DEPARTMENT VEHICLE USAGE
ADDENDUM 1, USE OF FRONT PASSENGER AIR BAGS**

RESCINDS: EQP-002, Addendum 1, 2003-033, revised 07-17-2003.	REVISED: 12-05-2005 2005-073
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The National Highway Traffic Safety Administration (NHTSA) has concluded air bags are proven, effective safety devices. A study of real-world crashes conducted by NHTSA found that the combination of seat belts and air bags is 75 percent effective in preventing serious head injuries and 66 percent effective in preventing serious chest injuries.

Most air bag injuries are minor cuts, bruises, or abrasions and far less serious than injuries air bags prevent. Deaths resulting from the deployment of air bags were due to the fact those persons were either sitting too close to the air bag or were not restrained by seat belts or child safety seats and were thrown forward during pre-crash braking.

Occupants who are very close to or on top of the air bag when it begins to inflate can be hit with enough force to suffer serious injury or death. However, occupants who are properly restrained and sit 10 inches away from the air bag cover will contact the air bag only after it has completely or almost completely inflated.

Almost everyone over age 12 is much safer with air bags than without them. This includes short people, tall people, older people, pregnant women, in fact, all people, male or female, who buckle their seat belts and who can sit far enough back from the air bag. Ideally, the occupant should sit with at least 10 inches between the center of the breastbone and the cover of the air bag.

I. Risk factors associated with air bag injuries

- I.A. Infants in rear-facing infant seats.
- I.B. Children under the age of 12 years.
- I.C. Improperly adjusted seat belts.
- I.D. Passengers with unusual medical conditions preventing them from obtaining the minimum 10 inches distance needed from the air bag.

II. Reducing the risk

- II.A. Always secure a rear-facing infant seat in the back seat. Placing the rear-facing infant seat in the front seat places the infant seat too close to the inflating air bag.
- II.B. Children age 12 and under should always be placed in the back seat using appropriate child restraints.
- II.C. Seat belts should always be used and properly adjusted. Improperly adjusted seat belts can allow too much motion, permitting the subject to move too close to the inflating air bag.
- II.D. Passengers with certain medical conditions have been advised by a physician that an air bag poses a special risk to them because of their condition. This condition would restrict the subject from staying at least 10 inches away from the air bag. Subjects with these conditions should be placed in the back seat.

-End of Addendum-